

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

DAMALI A. TAYLOR (262489)
Assistant United States Attorney
450 Golden Gate Ave., Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Fax: (415) 436-7234
E-Mail: damali.taylor@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No. CR 12-0467 RS
Plaintiff,)
v.)
ALIK D. ILYIN,)
Defendants.)

STIPULATION AND [PROPOSED]
ORDER CONTINUING HEARING DATE
AND DOCUMENTING EXCLUSION OF
TIME UNDER SPEEDY TRIAL ACT

On August 28, 2012, the parties were scheduled to appear before the Honorable Richard Seeborg for a status conference. The defendant, ALIK D. ILYIN, was present outside of the courtroom and in Marshals custody, and the government was in Court represented by DAMALI A. TAYLOR, Assistant United States Attorney. However, due to scheduling conflicts concerning another trial matter, Lidia Stiglich, counsel for the defendant, was unable to appear before the Court. Given counsel's unavailability, the matter was continued until Tuesday, September 4, 2012 for status conference.

Counsel for defendant ALIK D. ILYIN, Lidia Stiglich, and the government, represented by DAMALI A. TAYLOR, Assistant United States Attorney, hereby agree and stipulate, for both

1 continuity and effective preparation of counsel, that time be excluded under the Speedy Trial Act
2 between Tuesday, August 28, 2012, the previously scheduled status conference date, and
3 Tuesday, September 4, 2012, the continued date. The additional time is necessary to give
4 counsel reasonable time necessary for effective preparation, taking into account the exercise of
5 due diligence, and it is in the best interests of the defendant to do so.

6 The parties agree that the ends of justice served by granting such an exclusion of time
7 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §
8 3161(h)(7)(A).

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10 SO STIPULATED:

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12 MELINDA HAAG
United States Attorney

13 DATED: September 4, 2012
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/s/
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17 DAMALI A. TAYLOR
18 Assistant United States Attorney
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DATED: September 4, 2012
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/s/
LIDIA STIGLICH
Counsel for ALIK D. ILYIN

1 ~~[PROPOSED] ORDER~~

2 For the foregoing reasons, the Court finds that the requested extension is necessary for
3 continuity of counsel and that the failure to grant the requested extension would deny counsel the
4 reasonable time necessary for effective preparation, taking into account the exercise of due
5 diligence. The Court finds that the ends of justice served by granting the requested extension
6 outweigh the best interests of the public and the defendant in a speedy trial and in the prompt
7 disposition of criminal cases. The Court also concludes that an exclusion of time from August
8 28, 2012 through and including September 4, 2012, should be made under Title 18, United States
9 Code, Sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv). The Court also finds that the ends of
10 justice served by excluding the period from August 28, 2012 through and including September 4,
11 2012, outweigh the best interest of the public and the defendant in a speedy trial. Id. §
12 3161(h)(7)(A).

13 **IT IS SO ORDERED.**

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15 Dated: 9/7/12

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17 RICHARD SEEBORG
18 UNITED STATES DISTRICT JUDGE
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